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7 April 2015

Attn: Marko Kraljevic / George Mingay / Anousheh Bromfield
Clyde & Co
The St. Botolph Building
138 Houndsditch
London EC3A 7AR

By Email

(Marko.Kraljevic@clydeco.com / George.Mingay@clydeco.com
/ Anousheh.Bromfield@clydeco.com)

Dear Sirs

**Ascom Grup S.A. (“Ascom”) v Vitol FSU B.V. (“Vitol”)
UNCITRAL Arbitration**

We refer to your letter of 2 April 2015, attaching a subpoena *duces tecum* (the “**Subpoena**”) and an order of the US District Court for the Southern District of New York dated 30 March 2015 (the “**Order**”).

First, please be advised that our clients intend to seek to intervene in the New York proceedings for purposes of objecting to the Subpoena, as a result of which litigation over this matter seems to be imminent. Furthermore, Norton Rose, US counsel for the Republic of Kazakhstan (the “**RoK**”), have represented to our firm that no document production will be made by your firm prior to 10 April 2015, and we have relied upon that representation in preparing our clients’ motion. Our clients therefore expect the RoK to honour the said representation and to afford us an opportunity to make the motion in such a manner that it is not rendered moot by the production of documents.

Second, we understand that the New York office and the London office of your firm operate as two different partnerships, namely Clyde & Co US LLP (which was served with the

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Subpoena) and Clyde & Co LLP. We therefore ask you to explain, by return, the legal basis on which Clyde & Co LLP considers itself to be bound by the Subpoena and/or the Order, given that all of the underlying arbitrations which the Subpoena/Order relate to were conducted exclusively by the London team of Clyde & Co LLP.

Finally, and without prejudice to the above, we request that your firm, prior to disclosing any documents covered by the Subpoena/Order (should that prove necessary) (i) provide us with the list of documents which you intend to disclose pursuant to the Subpoena/Order; (ii) identify specific redactions sought to be made in relation to the disclosable documents; and (iii) identify the names of the individuals responsible for carrying out the tasks referred to in (i) and (ii) above. This information is sought in accordance with paragraphs 1-2 of the Tribunal's Procedural Order dated 20 August 2013 and paragraphs 1-2 of the Parties' confidentiality agreement dated 23 August 2013.

In the meantime, all of our client's rights remain reserved.

Yours faithfully

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UNCITRAL Arbitration

We refer to our letter of 7 April 2015, to which we are yet to receive a response.

Yesterday afternoon we were informed by Norton Rose that your firm's position was as follows: if our clients make an objection to the Subpoena, your firm will wait for that objection to be resolved by the New York Court before it produces any documents responsive to the Subpoena.

Please confirm the above representation made by Norton Rose is correct so that your firm undertakes not to produce any documents responsive to the Subpoena pending the resolution of our clients' objection before the New York Court.

We look forward to hearing from you as a matter of urgency.

Yours faithfully

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